

DOCKET NO.: UPN-4808

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Amos B. Smith, III, Brian Scott Freeze

and Ming Xian

Confirmation No.: 9332

Application No.: 10/575,136

Group Art Unit: not yet assigned

Filing Date: Not Yet Known

Customer No.: 23377

**For: IMPROVED SYNTHESIS OF DISCODERMOLIDE AND VARIANTS
THEREOF**

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIRMENTS AND REQUEST
FOR EXTENSION OF TIME**

In response to the "Notification of Missing Requirements" dated **November 9, 2006**, which sets forth a two-month period for reply ending on **January 9, 2007**, (said period being eligible for extensions under 37 CFR § 1.136(a)), enclosed herewith for filing is:

Declarations and Powers of Attorney

- ☒ A Combined Declaration and Power of Attorney, executed by the inventor(s). An unexecuted copy of this document was attached to the above-identified specification.
- ☐ A Combined Declaration and Power of Attorney executed by the inventor(s) and identifying fewer/more inventors than those identified in the unexecuted declaration filed with the above-identified application specification. Such deletion/addition of inventors is specifically provided for in 37 CFR § 1.48.
- ☐ A copy of the original Declaration and Power of Attorney, executed by the inventor(s), as filed in parent application no. .
- ☐ A copy of the Power of Attorney with Revocation filed on .

- ☐ A Combined Power of Attorney with Revocation and Statement Under 3.73(b).
- ☐ An Assignee Power of Attorney is enclosed.

Drawings

- ☐ sheets of replacement drawings comprising Figures in compliance with 37 CFR § 1.84.

Sequence Listing (Note - All items listed below are required if Sequence Listing is also being filed with Missing Parts)

- ☐ Paper copy of Sequence Listing
- ☐ Diskette containing Sequence Listing in computer readable form
- ☐ Amendment directing entry of Sequence Listing in specification
- ☐ Statement to Support Filing of Sequence Listing

Claim for Small Entity Status

- ☒ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s), by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
 - ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization
 - ☒ a University of Higher Education

Miscellaneous Items

- ☒ A copy of the Notification of Missing Requirements.
- ☐ Request for Corrected Filing Receipt.
- ☐ Request for Refund Due to Small Entity Status.
- ☐ Request for Refund Due to Fee Calculation Error.
- ☐ A substitute specification in compliance with 37 CFR § 1.52.
- ☐ Other: .

Fee Calculation and Extension of Time

- ☒ Request is hereby made under 37 CFR § 1.136(a) to extend the time for response to the Notification of Missing Requirements due **January 9, 2007** to and through **May 9, 2007**, comprising an extension of the shortened period of **four** months:

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
MISSING PARTS SURCHARGE	\$65	\$	\$130	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$
<input checked="" type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$795.00	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$
TOTAL FEE DUE		\$795.00		\$

- ☐ A check in amount of \$ is attached to cover the surcharge and any requested extension of time. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge the surcharge to my Deposit Account No. 23-3050 in the amount of **\$860.00** (late filing fee and extension fee).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

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PATENT

- ☒ The Commissioner is hereby authorized to charge any deficiency or credit any overpayment of the fees associated with this communication to Deposit Account No. 23-3050.

Date: May 9, 2007

/Walter C. Frank/

Walter C. Frank

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,136	Amos B. Smith III	UPN4808

23377
 WOODCOCK WASHBURN LLP
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 1650 MARKET STREET
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NOV 14 2006

Woodcock Washburn

INTERNATIONAL APPLICATION NO.	
PCT/US04/33473	
I.A. FILING DATE	PRIORITY DATE
10/12/2004	10/09/2003

CONFIRMATION NO. 9332

371 FORMALITIES LETTER



OC00000021161108

Date Mailed: 11/09/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/06/2006
- Copy of the International Search Report filed on 04/06/2006
- Preliminary Amendments filed on 04/06/2006
- Oath or Declaration filed on 04/06/2006
- Small Entity Statement filed on 04/06/2006
- Request for Immediate Examination filed on 04/06/2006
- U.S. Basic National Fees filed on 04/06/2006

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The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$165 for a Small Entity:

- **\$65 Surcharge.**

- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT.201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,136	PCT/US04/33473	UPN4808